

**Notice of Allowability**

Application No.

10/070,232

Examiner

Ghassem Alie

Applicant(s)

SPIX ET AL.

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 01/30/05 and Tel. interview on 02/15/05.
2. ☒ The allowed claim(s) is/are 20 and 22-24.
3. ☒ The drawings filed on 04/05/04 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 02/15/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a communication with Mr. Andrew Wilford (Reg. No. 26,597) on 02/15/05.

The application has been amended as follows:

In the specification:

Page 6, line 1, "21 and 22 connect d together by scr ws 23." has been changed to  
--21 and 22 connected together by screws 23.--

In the claims:

Claim 21

Line 8, "semicylindrical half bearing race;" has been changed to  
--semicylindrical half bearing race, the seat having on each main side a  
respective horizontally extending step;--

Line 17, "secondary sides pressed against seats" has been changed to  
--secondary sides pressed against the steps of the seats--

Claims 21 and 25 have been canceled.

### *Reasons for Allowance*

2. The following is an examiner's statement of reasons for allowance: The

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claims are allowable because the prior art fails to teach that the secondary sides of the secondary frame pressed against the steps of the vertical seats of the main sides of the main frame as set forth in claim 20.

Regarding claim 20, Bolton (4,428,265) teaches a machine 1 capable of cross cutting a material web including a main frame part unitarily formed with a pair of transversely spaced main sides and with at least one main transverse extending transversely between the main sides. Bolton also teaches a secondary frame with a pair of transversely spaced secondary sides and with at least one secondary transverse extending transversely between the secondary sides. Bolton also teaches that a seat formed at sides of the main frame on which the respective sides of the secondary frame fit complementarily with the main and secondary transverses extending parallel to each other. Bolton also teaches two blade drums rotatable about respective transversely extending drum axes. Bolton also teaches that the vertical seats of the main frame having on each main side a respective horizontally extending step. The outwardly extensions on both sides of the main frame are defined as the seats of the main frame. It should be noticed that the frame in Bolton has two separate sections which define the main frame and the secondary frame. However, Bolton does not teach that the end of the rotatable blade drums are journaled in the bearings and the each of the main sides of the main frame and the secondary frame parts has a half bearing race. Bolton also fails to teach fasteners securing the frame parts together with the secondary sides of the secondary frame pressed against the steps of the vertical seats of the main sides of the main frame as set forth in claim 20.

Kranz (3,720,126) teaches a machine frame including a main frame part and a secondary frame part which is fastened to the main frame by fasteners. Kranz also teaches two drums having ends journaled in bearings.

Kimmel (2,157,455) teaches half bearing races holding the bearing within them by being positioned on each side of the roll neck surfaces of the each working rolls.

However, Bolton in view of Kranz and Kimmel fails to teach the secondary sides of the secondary frame pressed against the steps of the vertical seats of the main sides of the mains frame as set forth in claim 20.

Bunch, Jr. (5,186,090) teaches a sheeting apparatus including a secondary frame having sides pressed against the steps of a main frame by a fastener. However, frame of sheeting apparatus in Bunch, Jr. in not combinable with Bolton's cross cutting apparatus because is structurally very different that the Bolton's apparatus and it would have not been obvious to a person of ordinary skill in the art to combine these two different structures together without hindsight from applicant's disclosure.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claim 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ratxel (5,906,569), Pauson (4,111,120), Gottling et al. (5,960,714), Gansky et al. (4,934,264), Pirrung et al. (5,5675,934), and Gladow (5,060,569) teach an apparatus having a main frame and a secondary frame secured to the main frame.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).

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GA/ga

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